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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

10/665,031

Filing Date

First Named Inventor

Rebecca Grose Block

Art Unit

3844

Examiner Name

T. T. Nguyen

Attorney Docket Number

Total Number of Pages in This Submission

6

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rebecca Grose Block
Signature	X Rebecca G. Block
Date	X 4/8/04

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## Response to a first Office Action

Application SNo. 10/665,031

This communication is a response to the first office action having a mailing date of 03/04/2004 and setting forth a shortened period for response of three months which would expire on 06/04/2004.

The applicant has studied the examiner's action carefully with the following results:

The applicant will follow the examiner's action by its designated paragraphs

Paragraph 1: An acknowledgment of a provisional application..

Paragraph 2: Information Disclosure Statement

The examiner objects to the listing of references in the specification. The applicant is fully aware of the requirements of 37 CFR 1.98(b) and the MPEP §609 A(1). However the applicant is desirous of making a discussion of the importance and content of the prior Patents and feels that this can only be done in the specification while discussing the art. Therefore, the applicant should be entitled to this discussion. The examiner should consider any prior art brought to his or her attention.

Paragraph 3: The examiner insists on changing the title of the invention. The word "KNOBBIT" is a Trademark and should not and must not appear in the title of the invention.

The phrase "60/460, filed on 04/07/2003", as required by the examiner, has been changed even though it was clear to begin with.

The examiner insists that the phrase "Statement Regarding Fed Sponsored R & D" should be deleted for the purpose of clarity. There is nothing unclear in this

### **Brief Summary of the invention**

In view of all of the above, the structure of the inventive device will be described below and it will show that the circular knob on top of the disc will make it very easy for the dog to pick up the disc after it has been thrown. The knob is so designed that the lips of the dog will not interfere with the surface of the disc which will greatly enhance the pleasure experienced by the dog. The knob on top of the disc will also not interfere with the aerodynamics of the disc when in flight.

### **Brief Description of the Drawings**

Fig. 1 is a perspective and top view of the disc;

Fig. 2 is a side view of the disc;

Fig. 3 is a cross-section through the disc

### **Detailed Description of the Invention**

Fig. 1 is a perspective top view of the inventive disc 1. The main top surface is shown at 5 and is flat. The margin of the disc is rounded off and slanted as is shown at 2. The circular knob 3 is integrally molded into the disc as one piece thereof and has a downwardly slanting neck as is shown at 4. The reason for this arrangement to make it easier for the dog to pick up the disc by the knob. The teeth of the dog will encircle the knob below its top and the lips of the dog will rest against the slanting neck below the circular knob. The disc itself may be made of a semi-hardened rubber material so that it is stable while in flight and doesn't flutter in its structure. However the material is most beneficial for the dog's teeth and mouth. Of course, other similar material may be used including the well known hard plastics.

phrase. Besides, the examiner is reminded of the PTO form SB/05 where there is an outline of the format of preparing a patent application especially in paragraph 3 under the heading of "Specification". The applicant simply followed these instructions.

Applicant's computer copy shows this heading to be correct but will be supplied.

Paragraph 4. A recitation of 35 U.S.C. 102

Paragraph 5. Claims 1 - 3 are rejected under 35 U.S.C.102(b) as being anticipated by Ross, Jr. (US 4,212,131.

Claim 1 has been amended to add the recitation "inwardly" and line 3 after the word "and". This addition to claim 1 makes it clear that the neck 4 is slanting inwardly and not outwardly as taught by Ross. It is also noted that applicant's claim 1 has a recitation "that an outer and circular margin is rounded downwardly to complete the convexity of said disc" Ross shows exactly the opposite at 13 and it is called a rim wing. All other references cited by the examiner do not teach these features.

In view of all of the above, the examiner is respectfully requested to reconsider the objections and rejections made in the office action and pass this application to an early indication of allowance.

x 

Rebecca Grose Block

Date of Signature:

4/8/04

### **List of amended claims**

1. (currently amended) A circular disc for retrieval by a dog when thrown, the disc comprising; said disc having a convex contour when seen from the side, a circular knob integrally connected to a top of said disc, a circular and inwardly slanting neck below said knob connects said knob to said disc, an outer and circular margin of said disc is rounded downwardly to complete the convexity of said disc.

2. (original) The circular disc of claim 1, wherein said disc has a flat area on a top of surface.

3. (original) The disc of claim 1, wherein said knob is integrally molded with said disc.

# Throwable Pet Toy

## Cross Reference to Related Application

This application is a Continuation-In-Part of the Provisional Application Number [60/460.388; filed on 04/07/2003 ] --60/460.388, filed on 04/07/2003--

Statement Regarding Fed Sponsored R and D

(none)

## Background of the Invention

This invention relates to a throwable aerodynamic disc, in particular to be thrown by humans to dogs.

US Patent No. 4,919,083 illustrates such a toy, however the shown construction is quite different from the inventive disc as will be explained below. The disc has a top cross bar which can be grabbed by the dog's mouth and returned to the thrower. However, the cross bar will interfere with the aerodynamics of the disc while rotating in flight which could render it unstable.

US Patent No. 4,955,842 is a well known disc having a second disc attached to the flat top. It is doubtful if a dog can pick up this disc with its mouth because the flat and second disc is so closely spaced from the first one. The purpose of the second disc on top of the larger one is to retrieve the disc while in flight with a thin blade.

US Patent No. 5,934,966 discloses an aerodynamic disc to be thrown by humans to a dog for pick up and retrieval. A handle is provided on the underside of the disc so that when the disc lands on any surface, the handle will prevent the disc from completely settling on the ground with the rim edge remaining elevated at least on one side. This is totally different from applicant's device.